

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JONATHAN D. ALSTON,  
Plaintiff,

v.

SHERIFF, et al.,  
Defendants.

Case No. [18-cv-07220-RS](#) (PR)


**ORDER OF DISMISSAL**

Plaintiff has not complied with the Court's order to file a (i) complete application to proceed *in forma pauperis* (IFP), or (ii) pay the \$400.00 filing fee. The application is incomplete because he has not filed a complete Certificate of Funds signed by an authorized prison officer. Plaintiff's IFP application is DENIED as insufficient. (Dkt. No. 3.)

Accordingly, this federal civil rights action is DISMISSED (without prejudice) for failing to comply with the Court's orders and for failing to prosecute, *see* Federal Rule of Civil Procedure 41(b). Because this dismissal is without prejudice, plaintiff may move to reopen the action. Any such motion **must** contain a properly completed Certificate of Funds or full payment for the \$400.00 filing fee. The Clerk shall terminate all pending motions, enter judgment in favor of defendants, and close the file.

**IT IS SO ORDERED.**

**Dated:** January 14, 2019

  
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RICHARD SEEBORG  
United States District Judge